

History.

Acts 1939, ch. 49, § 19; C. Supp. 1950, § 6648.20 (Williams, § 6648.22); impl. am. Acts 1959, ch. 9, § 14; Acts 1959, ch. 301, § 1; impl. am. Acts 1961, ch. 97, § 5; impl. am. Acts 1963, ch. 257, § 45; impl. am. Acts 1972, ch. 543, § 7; Acts 1973, ch. 68, § 5; T.C.A. (orig. ed.), § 57-147; Acts 1992, ch. 608, §§ 9-11; 2009, ch. 434, § 10; 2014, ch. 861, § 6.

Amendments.

The 2014 amendment substituted "as defined in § 57-5-101(b)" for "or other beverage of alcoholic content of not more than five percent (5%)" in the first sentence of (d).

Effective Dates.

Acts 2014, ch. 861, § 25. May 1, 2014.

57-3-414. Sale of powdered or crystalline alcohol prohibited — Offense — Penalties.

(a) No person shall sell or offer for sale for human consumption powdered or crystalline alcohol.

(b) Subsection (a) does not apply to any of the following:

(1) Any substance regulated by the food and drug administration in the United States department of health and human services that is not either of the following:

(A) Beer or intoxicating liquor; or

(B) A compound that could be converted into beer or intoxicating liquor;

(2) A medication that requires a prescription; or

(3) An over-the-counter medication.

(c) A violation of subsection (a) is a Class A misdemeanor. In addition to any criminal penalty imposed by this subsection (c), the commission may suspend or revoke any license or permit issued under this title held by any person who violates subsection (a).

(d) As used in this section:

(1) "Over-the-counter medication" means medication that may be legally sold and purchased without a prescription;

(2) "Powdered or crystalline alcohol" means a product that is manufactured into a powdered or crystalline form and that contains any amount of alcohol; and

(3) "Prescription" means an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

History.

Acts 2015, ch. 311, § 1.

Cross-References.

Penalty for Class A misdemeanor, § 40-35-111.

Effective Dates.

Acts 2015, ch. 311, § 2. May 1, 2015.

PART 5

MUNICIPAL INSPECTION FEES

57-3-501. Municipal inspection fee — Maximum amount — Collection of fees.

(a)(1) A municipality as defined by § 57-3-101 shall have the authority to impose by ordinance an inspection fee upon licensed retailers of alcoholic beverages as defined by § 57-3-101 or upon retail food store wine licensees

located within such municipality.

(2) If, pursuant to § 57-3-204(e)(7), a manufacturer of high alcohol content beer obtains a retail license to sell its products which are manufactured on the manufacturer's premise, the governing body of the municipality or county in which such a manufacturer is located shall impose by ordinance or resolution, as appropriate, a fifteen-percent inspection fee to inspect the retail store in which such products are sold by the manufacturer. Such inspection fee shall be imposed on the wholesale price of the high alcohol content beer supplied pursuant to § 57-3-204(e)(7)(B) by a wholesaler for those products manufactured and sold by the manufacturer at its retail store as authorized pursuant to § 57-3-204(e)(7).

(b) The inspection fees shall not exceed eight percent (8%) of the wholesale price of alcoholic beverages supplied by a wholesaler in municipalities located in counties of this state having a population of less than sixty thousand (60,000), according to the 1960 federal census or any subsequent federal census, or in counties that contain a municipal corporation as defined in § 67-6-103(a)(3)(B)(i), notwithstanding subsection (c) to the contrary.

(c) The inspection fees shall not exceed five percent (5%) of the wholesale price of alcoholic beverages supplied by a wholesaler in municipalities located in counties of this state having a population of more than sixty thousand (60,000), according to the 1960 federal census or any subsequent federal census.

(d) Any municipality having a metropolitan form of government and a population of over four hundred fifty thousand (450,000), according to the 1990 federal census or any subsequent federal census, which has levied the inspection fees herein authorized may, by ordinance of its legislative body, designate the county clerk as the collector of the fees for the entire metropolitan taxing jurisdiction.

History.

Acts 1968, ch. 538, §§ 1, 2; 1969, ch. 87, § 1; S.A., § 57-165; Acts 1994, ch. 758, § 1; 1999, ch. 218, § 1; 2011, ch. 448, § 17; 2014, ch. 554, § 34.

Effective Dates.

Acts 2014, ch. 554, § 34. July 1, 2014.

Amendments.

The 2014 amendment inserted "or upon retail food store wine licensees" in (a)(1).

PART 6

NONRESIDENT SELLER'S PERMITS

57-3-602. When permit required — Exceptions.

(a) A nonresident seller's permit is required of any manufacturer, distillery, brewery, importer, broker, or person which sells or distributes alcoholic beverages to any wholesaler licensed under § 57-3-203 or any manufacturer